

**STATE OF NEVADA
FOARD OF EXAMINERS
FOR LONG TERM CARE ADMINISTRATORS**

**MINUTES OF QUARTERLY MEEING
FEBRUARY 13, 2003
GRANT SAWYER BUILDING
555 EAST WASHINGTON AVENUE
ROOM 1100
LAS VEGAS, NV 89101**

1. MARY ELLEN WILKINSON, VICE CHAIRPERSON, CALLED THE MEETING TO ORDER AT 9:45 AM.
2. TERRY PEDROTTI, EXECUTIVE SECRETARY, CALLED THE ROLL. A QUORUM WAS PRESENT.

MARGARET MCCONNELL, CHAIRPERSON, EXCUSED
MARY ELLEN WILKINSON, VICE CHAIRPERSON
DONNA J. ROSE, SECRETARY/TREASURER
DOUGLAS SINCLAIR
ARNOLD H. GREENHOUSE, M.D.
TERRY CLODT
BRUCE MCANNANY FOR CAROL SALA

STAFF:

CHARLOTTE M. BIBLE, CHIEF DEPUTY ATTORNEY GENERAL
TERRY PEDROTTI, EXECUTIVE SECRETARY

GUESTS:

JOYCE FORD, APPLICANT
ROSEMARY MALACHI, DAS
P. THERESA BRUSHFIELD-OWENS, ADMINISTRATOR

MARY ELLEN WILKINSON WELCOMED THE GUESTS AND ASKED THAT THEY INTRODUCE THEMSELVES.

MS. WILKINSON ANNOUNCED THAT ITEMS WOULD BE TAKEN OUT OF ORDER TO ACCOMPLISH BUSINESS IN A MORE EXPEDITIOUS MANNER.

6.** UNFINISHED BUSINESS:

A. JOYCE FORD, APPLICATION IN QUESTION – ADDITIONAL INFORMATION REQUIRED:

CHARLOTTE BIBLE EXPLAINED THAT MS. FORD WAS ASKED TO RETURN TO THIS BOARD MEETING TO PROVIDE ADDITIONAL INFORMATION ATTESTING TO HER SOBRIETY. MS. FORD PROVIDED SEVERAL TESTIMONIAL LETTERS FROM FRIENDS AND COLLEAGUES THAT WERE DISTRIBUTED TO THE BOARD MEMBERS. A DISCUSSION FOLLOWED. THE BOARD MEMBERS FELT THAT WHILE THE LETTERS WERE EXCELLENT CHARACTER ANALYSES, THEY STILL DID NOT CONFIRM MS. FORD'S SOBRIETY THAT WAS THE ISSUE.

MS. FORD STATED SHE HAS A LETTER FROM THE JUDGE WHO PRESIDED WHEN SHE WAS CHARGED, COMMENDING HER BEHAVIOR SINCE THE INCIDENT. AFTER REVIEWING ALL OF THE LETTERS, DOUGLAS SINCLAIR MOVED TO GRANT MS. FORD'S LICENSE WHEN ALL OF THE REQUIREMENTS OF THE APPLICATION ARE FULFILLED.

DR. GREENHOUSE ASKED THAT MS. FORD ASK THE JUDGE TO WRITE AND SIGN THE LETTER ON HIS OFFICIAL STATIONERY, BECAUSE THE PRESENT LETTER IS UNSIGNED AND WRITTEN ON PLAIN PAPER.

THE BOARD MEMBERS AGREED, AND MR. SINCLAIR AMENDED THE MOTION THAT A LICENSE WOULD BE ISSUED CONTINGENT UPON RECEIPT OF THE LETTER WRITTEN AND SIGNED BY THE JUDGE ON HIS LETTERHEAD AND THE FULFILLMENT OF ALL REQUIREMENTS FOR LICENSURE. ARNOLD GREENHOUSE SECONDED THE AMENDED MOTION, AND IT WAS CARRIED UNANIMOUSLY.

3.** SECRETARY/TREASURER'S REPORTS – DONNA ROSE:

A. MINUTES OF BOARD MEETING, NOVEMBER 14, 200:

DONNA ROSE STATED THE MINUTES HAD BEEN DISTRIBUTED PREVIOUSLY TO ALL OF THE BOARD MEMBERS AND ASKED IF THERE WERE ANY CORRECTIONS. ADDITIONS OR DELETIONS. THERE WERE NONE. MS. ROSE REQUESTED A MOTION. ARNOLD GREENHOUSE MADE THE MOTION TO APPROVE THE MINUTES AS WRITTEN. DOUGLAS SINCLAIR SECONDED THE MOTION, AND IT WAS APPROVED UNANIMOUSLY.

B. FINANCIAL REPORTS:

- (1) SECOND QUARTER REPORT – FISCAL 2002 – 2003
- (2) PROFIT AND LOSS STATEMENT;
- (3) NET WORTH REPORT

DONNA ROSE DEFERRED THE EXPLANATION OF THE FINANCIAL REPORTS TO TERRY PEDROTTI.

(1) MS. PEDROTTI EXPLAINED THAT THE CPA WAS UNABLE TO PROVIDE THE SECOND QUARTER UNAUDITED REPORT IN TIME FOR THE MEETING, BUT A REPORT WAS PREPARED FROM THE BOARD'S FINANCIAL RECORDS.

(2) THE PROFIT AND LOSS STATEMENT REFLECTS THE BOARD IS SHOWING A LOSS THAT IS COMMENSURATE WITH THE PROJECTED BUDGET FOR FISCAL 2002 – 2003.

(3) THE NET WORTH REPORT INDICATES THAT THE FINANCIAL STATUS OF THE BOARD IS STILL VERY HEALTHY, BUT AS IS HISTORICAL BIENNUEALLY, THIS FISCAL YEAR IS SHOWING A LOSS AS REFLECTED IN THE PROJECTED BUDGET, THOUGH NOT AS MUCH AS PROJECTED.

TERRY PEDROTTI HAD ALSO PROVIDED THE BOARD MEMBERS WITH AN ANALYSIS OF THE FINANCIAL STATUS TO EXPLAIN THE REASONS FOR THE LOSS.

DONNA ROSE REQUESTED A MOTION. TERRY CLODT MOVED TO ACCEPT THE FINANCIAL REPORTS AS PRESENTED. DOUGLAS SINCLAIR SECONDED THE MOTION, AND IT WAS APPROVED UNANIMOUSLY.

4. ADMINISTRATIVE REPORT – TERRY PEDROTTI

A. LICENSEE ACTIVITY REPORT

THE QUARTERLY LICENSEE ACTIVITY REPORT INDICATES THAT FEWER LICENSES ARE BEING RENEWED IN THIS FISCAL YEAR AND FEWER NEW LICENSES ARE BEING ISSUED, THUS, THE LOSS REFLECTED IN THE FINANCIAL REPORTS. THIS IS ALSO A UNIVERSAL PROBLEM, BECAUSE THE REQUIREMENTS ARE BECOMING MORE STRINGENT FOR BOTH EXISTING LICENSEES AND NEW LICENSEES. ALSO, THE TESTING PROCEDURES HAVE BECOME MORE COMPLICATED FOR SOME OF THE APPLICANTS, AND THIS IS DETERRING THEM FROM PURSUING AN APPLICATION.

B. CLAIM BILLING – FISCAL YEAR 2003 – AG'S OFFICE

MS. PEDROTTI EXPLAINED THE NEW PROCEDURE IMPLEMENTED BY THE AG'S OFFICE WHEREBY ALL BOARDS WILL NOW BE BILLED ANNUALLY FOR INSURANCE COVERAGE FOR BOARD MEMBERS AND STATE EMPLOYEES AGAINST POTENTIAL TORT CLAIMS.

CHARLOTTE BIBLE STATED THAT THESE CHARGES WILL GO INTO THE "TORT FUND" THAT PAYS FOR ANY LITIGATION COSTS INVOLVING BOARD MEMBERS AND STATE EMPLOYEES FOR CIVIL RIGHTS VIOLATIONS, NEGLIGENCE, ETC. CONTRACT DISPUTES WOULD NOT BE INCLUDED.

C. RAISE IN FEES – NHP

THE NEVADA CRIMINAL REPOSITORY RAISED ITS FEE FOR BACKGROUND CHECKS BY \$6.00, AND THIS BOARD HAS RAISED ITS FEE TO COVER THE EXTRA CHARGE. WE ONLY CHARGE OUR APPLICANTS AND LICENSEES WHAT WE ARE CHARGED.

5.** ADMINISTRATOR LICENSES ISSUED – *FINAL BOARD APPROVAL REQUIRED*:

A. NFA LICENSES:

(1) LAVIOLETTE, KERRY

MARY ELLEN WILKINSON DEFERRED THIS ISSUE TO DONNA ROSE WHO REVIEWS ALL NFA APPLICATIONS. MS. ROSE REQUESTED A MOTION. TERRY CLODT MADE A MOTION TO APPROVE THE LICENSE OF KERRY LAVIOLETTE, AND DOUGLAS SINCLAIR SECONDED THE MOTION. ALL BOARD MEMBERS APPROVED.

B. RFA LICENSES:

- (1) ABUDAYYEH, CRISTINA V.
- (2) ALDERETTE, GARY G. (PREVIOUSLY APPROVED)
- (3) BIEBER, HOWARD T.
- (4) BLACK, RUBY
- (5) GRAVITIS, MELISSA
- (6) LOPOZ, AFRODESIA
- (7) STYLES, SANDRA D.

DOUGLAS SINCLAIR REVIEWS ALL RFA APPLICATIONS. THEREFORE, MR. SINCLAIR MOVED THAT THE APPLICANTS BE APPROVED FOR LICENSURE. TERRY CLODT SECONDED THE MOTION AND IT WAS APPROVED UNANIMOUSLY.

C. INACTIVE REQUESTS:

- (1) AULT, PATRICIA, RFA
- (2) LIPKIN, ANGELA, RFA
- (3) SUAREZ, GABAMEL, RFA
- (4) WARREN, MARK, RFA

TERRY PEDROTTI STATED THAT THE APPLICANTS HAD FULFILLED THE REQUIREMENTS FOR INACTIVE STATUS. TERRY CLODT MOVED TO ACCEPT THE REQUESTS FOR INACTIVE STATUS. ARNOLD GREENHOUSE SECONDED THE MOTION AND IT WAS APPROVED UNANIMOUSLY.

D. APPLICATIONS/LICENSES IN QUESTION:

(1) DELEON, WILLIAM

TERRY PEDROTTI STATED THAT MR. DE LEON HAD BEEN INVITED VIA CERTIFIED MAIL TO APPEAR AT THE BOARD MEETING, BUT THE NOTICE WAS UNDELIVERABLE. MS. PEDROTTI WAS ABLE TO CONTACT

MR. DELEON BY TELEPHONE AND WAS TOLD BY MR. DELEON HE NO LONGER WISHED TO PURSUE THE APPLICATION PROCESS, AND HE REQUESTED WHATEVER REFUND HE WAS ENTITLED TO. MS. PEDROTTI INFORMED HIM HE WOULD HAVE TO MAKE HIS REQUEST TO WITHDRAW HIS APPLICATION IN WRITING BEFORE THE BOARD COULD REFUND ANY MONIES.

DOUGLAS SINCLAIR MADE A MOTION TO TABLE THE ISSUE UNTIL SUCH TIME AS MR. DELEON'S WRITTEN REQUEST IS RECEIVED. DONNA ROSE SECONDED THE MOTION, AND IT WAS CARRIED UNANIMOUSLY.

6.** UNFINISHED BUSINESS:

C. PROCEDURES REGARDING REVIEW OF CEU PRESENTATIONS FOR APPROVAL AND CREDENTIALS OF FACULTY – ARNOLD GREENHOUSE:

ARNOLD GREENHOUSE INDICATED THAT THE NEW CEU APPROVAL PROCEDURE WOULD BE BASED ON THE NAB REQUIREMENTS, WHICH HAD BEEN PREVIOUSLY DISTRIBUTED TO EACH OF THE BOARD MEMBERS. DR. GREENHOUSE SUGGESTED SOME CHANGES THAT WOULD BE MORE APPLICABLE TO THIS BOARD, AND THE BOARD MEMBERS WERE ASKED TO COMMENT ON THE PROPOSED CHANGES. THE PRIMARY FOCUS OF THE APPROVAL PROCESS IS THE CREDENTIALS OF THE FACULTY AND THE NUMBER OF HOURS OF ACTUAL CLASS TIME.

A DISCUSSION FOLLOWED AND THE BOARD MEMBERS AGREED THEY WOULD REVIEW THE DRAFT DR. GREENHOUSE WILL PREPARE OF THE NEW CEU APPROVAL PROCESS PRIOR TO THE NEXT BOARD MEETING. TERRY PEDROTTI WAS ASKED TO DISTRIBUTE THE DRAFT TO THE BOARD MEMBERS BEFORE THE NEXT BOARD MEETING FOR REVIEW IN THE INTEREST OF TIME, SO THAT THE BOARD CAN ACT ON IT AT THAT TIME.

ONCE THE NEW APPROVAL PROCESS IS APPROVED, A MASS MAILING WILL BE MADE TO ALL PROVIDERS.

7. ** NEW BUSINESS:

A. LICENSURE APPLICATION POSSIBLE CHANGE IN APPLICATION QUESTION REGARDING ARRESTS AND CONVICTIONS – CHARLOTTE BIBLE

CHARLOTTE BIBLE SUGGESTED THAT CHANGING THE PRESENT LANGUAGE TO: "HAVE YOU EVER, SINCE ATTAINING THE AGE OF 19 YEARS, BEEN CHARGED WITH, EVEN IF CHARGES WERE DROPPED, OR CONVICTED OF A CRIMINAL OFFENSE, PLACED ON PROBATION, OR GRANTED DEFERRED ADJUDICATION, PRETRIAL DIVERSION OR HAD RECORDS SEALED OR EXPUNGED, OR ADVISED BY AN ATTORNEY THAT YOU DO NOT HAVE TO LIST THE CONVICTION, IN ANY JURISDICTION?

IF YOU HAVE ANY QUESTIONS AS TO HOW TO RESPOND TO THIS QUESTION, PLEASE CALL THE BOARD OFFICE AT (702) 486-5445 FOR CLARIFICATION."

AND CHANGING THE WORDING OF: "PLEASE NOTE: FAILURE TO FULLY AND COMPLETELY DISCLOSE ANY FORMER CHARGES, ARRESTS OR CONVICTIONS MAY RESULT IN DENIAL OF YOUR LICENSE."

TERRY PEDROTTI WAS ASKED TO REPHRASE THE QUESTION AND THE NOTE ON THE APPLICATION AND CIRCULATE IT TO THE BOARD MEMBERS PRIOR TO REVISING THE WORDING ON THE ACTUAL APPLICATION BEFORE THE NEXT BOARD MEETING FOR ACTION.

8.** DEPUTY ATTORNEY GENERAL'S COMMENTS

CHARLOTTE BIBLE INVITED THE BOARD MEMBERS TO ATTEND THE "ORIENTATION AND TRAINING FOR NEVADA STATE BOARD AND COMMISSION MEMBERS" AT THE ATTORNEY GENERAL'S OFFICE IN CARSON CITY ON FEBRUARY 28, 2003 AT 8:30 TO 12:00 NOON.

9. CORRESPONDENCE:

A. REDUCTION IN MILEAGE RATE REIMBURSEMENT – DEPARTMENT OF ADMINISTRATION.

A LETTER FROM THE DEPARTMENT OF ADMINISTRATION WAS DISTRIBUTED IN WHICH THE REIMBURSEMENT RATE OF USE OF PERSONAL AUTOMOBILE FOR BUSINESS PURPOSES HAS BEEN LOWERED FROM 36.5 CENTS PER MILE TO 36 CENTS PER MILE.

B. BDR REQUEST "CRIMES AGAINST THE ELDERLY"

THE BILL DRAFT REQUEST "CRIMES AGAINST THE ELDERLY" AUTHORED BY MARK KEMBERLING OF THE MEDICAID FRAUD DIVISION OF THE ATTORNEY GENERAL'S OFFICE WAS DISTRIBUTED TO THE BOARD MEMBERS FOR INFORMATION. THE BOARD MEMBERS REITERATED THEIR SUPPORT OF THE BILL DRAFT REQUEST.

10. PUBLIC COMMENTS

ROSEMARY MALACHI COMMENTED ON THE LEGAL QUESTION ON THE APPLICATION FOR LICENSURE AND STATED THAT, IN HER OPINION, SHE FELT IT MIGHT BE INTRUSIVE AND NOT AN ACCURATE GAUGE OF THE INDIVIDUAL'S CAPABILITIES AS AN ADMINISTRATOR.

P. THERESA BRUSHFIELD ALSO COMMENTED ON THE SAME ISSUE AND SHE, TOO, FELT IT WAS SOMEWHAT EXCESSIVE.

IN A DISCUSSION FOLLOWING THE COMMENTS, THE BOARD MEMBERS EXPLAINED THAT THE QUESTION REGARDING LEGAL ISSUES IS TO CONFIRM THE INTEGRITY OF THE INDIVIDUAL.

11.** DATE/TIME/LOCATION – NEXT QUARTERLY MEETING

AFTER ALL THE BOARD MEMBERS CONSULTED THEIR CALENDARS, MAY 20TH WAS DECIDED UPON FOR THE NEXT BOARD MEETING IN RENO, AT THE ALTERRA RENO FACILITY AT 9:30 AM. TERRY PEDROTTI WILL CHECK WITH MARGARET MCCONNELL ON HER AVAILABILITY AND MAKE THE ARRANGEMENTS FOR THE MEETING.

12.** ADJOURNMENT

THERE BEING NO FURTHER BUSINESS, ARNOLD GREENHOUSE MOVED TO ADJOURN THE MEETING. IT WAS SECONDED BY DOUGLAS SINCLAIR AND APPROVED UNANIMOUSLY.

RESPECTFULLY SUBMITTED:

TERRY PEDROTTI, EXECUTIVE SECRETARY